

AMENDED IN ASSEMBLY AUGUST 6, 2013

AMENDED IN ASSEMBLY JUNE 19, 2013

AMENDED IN SENATE APRIL 17, 2013

**SENATE BILL**

**No. 379**

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**Introduced by Senator Hancock**

February 20, 2013

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An act to amend Section 46146.5 of, to amend the heading of Chapter 14 (commencing with Section 11300) of Part 7 of Division 1 of Title 1 of, and to add Section 11302 to, the Education Code, relating to school attendance.

LEGISLATIVE COUNSEL'S DIGEST

SB 379, as amended, Hancock. School attendance: early and middle college high schools.

(1) Under existing law, the Legislature finds and declares that middle college high schools have proven to be a highly effective collaborative effort between local school districts and community colleges.

This bill would provide that the Legislature finds and declares that early college high schools are innovative partnerships between charter or noncharter public secondary schools and a community college, the California State University, or the University of California that allow pupils to earn a high school diploma and up to 2 years of college credit in 4 years or less.

(2) Existing law provides that a day of attendance for a pupil enrolled in grades 11 and 12 at an early college high school or middle college high school is 180 minutes of attendance if the pupil is also enrolled in a community college, classes of the California State University, or classes of the University of California, as specified. Existing law, the

Charter Schools Act of 1992, requires, as a condition of apportionment, among other things, a charter school to offer 64,800 minutes of instruction in a fiscal year for pupils in grades 9 to 12, inclusive, and, for classroom-based instruction, as defined, to have at least 80% of the instructional time offered to be at the schoolsite.

This bill would require a charter school that operates as an early college high school or middle college high school, for purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, to offer at least 80% of the instructional time at the charter school schoolsite, and to require a pupil enrolled in grade 11 or 12 who is also enrolled in classes of the California State University, or classes of the University of California, as specified, or a pupil enrolled who is also enrolled as a special part-time student in a community college, as specified, to attend the charter school for a minimum of 50% of the minimum number of minutes of instruction the charter school is required to offer in a fiscal year. The bill would require a pupil enrolled in a charter school that operates as an early college high school or middle college high school who is not enrolled in classes of the California State University or the University of California, or who is not a special part-time student in a community college, to attend the charter school for a minimum of 67% of the minimum number of minutes of instruction the charter school is required to offer in a fiscal year. *The bill would subject these requirements to annual audits, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The heading of Chapter 14 (commencing with  
2 Section 11300) of Part 7 of Division 1 of Title 1 of the Education  
3 Code is amended to read:

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5 CHAPTER 14. EARLY COLLEGE HIGH SCHOOLS AND  
6 MIDDLE COLLEGE HIGH SCHOOLS  
7

8 SEC. 2. Section 11302 is added to the Education Code, to read:

9 11302. The Legislature finds and declares that early college  
10 high schools are innovative partnerships between charter or  
11 noncharter public secondary schools and a local community

1 college, the California State University, or the University of  
2 California that allow pupils to earn a high school diploma and up  
3 to two years of college credit in four years or less. Early college  
4 high schools are small, autonomous schools that blend high school  
5 and college into a coherent educational program. In early college  
6 high schools, pupils begin taking college courses as soon as they  
7 demonstrate readiness and the college credit earned may be applied  
8 toward completing an associate or bachelor's degree, transfer to  
9 a four-year university, or obtaining a skills certificate.

10 SEC. 3. Section 46146.5 of the Education Code is amended to  
11 read:

12 46146.5. (a) A day of attendance for a pupil enrolled in grade  
13 11 or 12 at an early college high school or middle college high  
14 school is 180 minutes of attendance if the pupil is also enrolled  
15 part time in classes of the California State University or the  
16 University of California for which academic credit will be provided  
17 upon satisfactory completion of enrolled courses.

18 (b) A day of attendance for a pupil enrolled in an early college  
19 high school or middle college high school, who is also a special  
20 part-time student enrolled in a community college under Article  
21 1 (commencing with Section 48800) of Chapter 5 of Part 27, and  
22 who will receive academic credit upon satisfactory completion of  
23 enrolled courses, is 180 minutes of attendance.

24 (c) A day of attendance for a pupil enrolled in an early college  
25 high school or middle college high school who does not satisfy  
26 subdivision (a) or (b) is 240 minutes of attendance.

27 (d) For a charter school that is an early college high school or  
28 middle college high school, for purposes of calculating  
29 classroom-based average daily attendance for classroom-based  
30 instruction apportionments, at least 80 percent of the instructional  
31 time offered by the charter school shall be at the schoolsite, and  
32 the charter school shall require the attendance of a pupil enrolled  
33 in grade 11 or 12 for a minimum of 50 percent of the minimum  
34 instructional time required to be offered pursuant to paragraph (1)  
35 of subdivision (a) of Section 47612.5 if the pupil is also enrolled  
36 part time in classes of the California State University or the  
37 University of California for which academic credit will be provided  
38 upon satisfactory completion of enrolled courses.

39 (e) For a charter school that is an early college high school or  
40 middle college high school, for purposes of calculating

1 classroom-based average daily attendance for classroom-based  
2 instruction apportionments, at least 80 percent of the instructional  
3 time offered by the charter school shall be at the schoolsite, and  
4 the charter school shall require the attendance of a pupil for a  
5 minimum of 50 percent of the minimum instructional time required  
6 to be offered pursuant to paragraph (1) of subdivision (a) of Section  
7 47612.5 if the pupil is also a special part-time student enrolled in  
8 a community college under Article 1 (commencing with Section  
9 48800) of Chapter 5 of Part 27, and who will receive academic  
10 credit upon satisfactory completion of enrolled courses.

11 (f) For a pupil enrolled in a charter school that is an early college  
12 high school or middle college high school and who does not satisfy  
13 the attendance and enrollment requirements of subdivision (d) or  
14 (e), for purposes of calculating classroom-based average daily  
15 attendance for classroom-based instruction apportionments, at least  
16 80 percent of the instructional time offered by the charter school  
17 shall be at the schoolsite, and the charter school shall require the  
18 attendance of the pupil for a minimum of 67 percent of the  
19 minimum instructional time required to be offered pursuant to  
20 paragraph (1) of subdivision (a) of Section 47612.5.

21 (g) For purposes of this section, middle college high school is  
22 described in Section 11300 and early college high school is  
23 described in Section 11302.

24 (h) *The requirements of this section shall be subject to annual*  
25 *audits, which shall be conducted pursuant to Section 41020 or*  
26 *consistent with provisions of a charter described in subparagraph*  
27 *(I) of paragraph (5) of subdivision (b) of Section 47605.*